

REMARKS

Upon entry of the foregoing Amendment, claims 1, 2, 4-9, 11-17, & 33-43 are pending. Claims 1, 4, 6, 9, 14, 33, 38, 39, 40, and 43 have been amended; claims 3, 10, and 18-32 were previously cancelled without prejudice or disclaimer; and no new claims are added. Amendments to the claims are supported by the specification as filed. Unless otherwise indicated, amendments to the claims have been made solely for purposes of consistency.

In view of the foregoing Amendment and the following Remarks, allowance of the pending claims is requested.

Examiner Interview

Applicants would like to thank Examiner Doris To and Examiner Ian Moore for the courtesies extended to Applicants' representatives Rick Toering and Tim Rooney during the Examiner Interview of June 29, 2006 (hereinafter "Examiner Interview").

Claim Objections

The Examiner has objected to claims 6 and 14 for allegedly containing certain informalities. Solely for the purpose of expediting prosecution, Applicants have amended these claims to correct any alleged informalities. As such, Applicants request that these objections be withdrawn.

Rejections Under 35 U.S.C. §102(e)

The Examiner has rejected claims 1-2, 4-9, and 11-17 under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,324,165 to Fan et al. ("Fan"). Applicants traverse these rejections for at least the reason that Fan does not disclose each and every feature of the claimed invention.

For example, Fan fails to disclose at least the feature of "*a buffer manager...to adjust at least one of the first depth of the first buffer memory or the second depth of the second buffer memory,*" as set forth in independent claim 1 prior to entry of the foregoing Amendment. As discussed in both the Reply and Amendment Accompanying

Request for Continued Examination submitted on Oct. 6, 2005 ("Oct. 2005 Response") and as discussed during the Examiner Interview, Fan relates to directing the flow of data to buffers based on the space currently available in the buffers. Fan does not disclose adjusting depth or capacity of a buffer. In fact, as discussed in the Examiner Interview, the capacity of the buffers in Fan remains fixed. Applicants submit that this aspect of the invention is sufficiently set forth in the claims prior to the foregoing Amendment. Nevertheless, Applicants have amended the claims to more clearly point out this feature, solely in an effort to expedite prosecution.

For at least this reason, Fan does not disclose each and every feature of the claimed invention. Accordingly, the rejection of claim 1 is improper. Independent claim 9 includes similar features as those discussed above for claim 1. Thus, the rejections of these claims are improper for at least the reasons set forth above and must be withdrawn. Claims 2, 4-8, and 11-17 depend from and add features to one of independent claims 1 or 9. Thus, the rejection of these claims must also be withdrawn.

The Examiner has also rejected claims 1, 2, 6-9, 11-17, 33-37, 42, and 43 under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 5,872,769 to Caldara. ("Caldara"). Applicants traverse these rejections for at least the reason that Caldara does not disclose each and every feature of the claimed invention.

For example, Caldara fails to disclose at least the feature of "*a buffer manager...to adjust at least one of the first depth of the first buffer memory or the second depth of the second buffer memory,*" as set forth in independent claim 1 prior to the entry of the foregoing Amendment. As discussed during the Examiner Interview, Caldera relates to dynamic bandwidth lists and dynamic bandwidth thresholds that administrate the buffers available for particular data allocation depending on the current space available in the buffers. Caldera does not disclose adjusting depth or capacity of a buffer. In fact, as discussed in the Examiner Interview, the capacity of the buffers in Caldera remains fixed. Applicants submit that this aspect of the invention is sufficiently set forth in the claims prior to the foregoing Amendment. Nevertheless, Applicants have amended the claims to more clearly point out this feature, solely in an effort to expedite prosecution.

For at least this reason, Caldera does not disclose each and every feature of the claimed invention. Accordingly, the rejection of claim 1 is improper. Independent claims 9, 33, and 43 include similar features as those discussed above for claim 1. Thus, the rejections of these claims are improper for at least the reasons set forth above and must be withdrawn. Claims 2, 6-8, 11-17, 34-47, and 42 depend from and add features to one of independent claims 1, 9, or 33. Thus, the rejection of these claims must also be withdrawn.

Rejections Under 35 U.S.C. §103(a)

The Examiner has rejected claims 4, 5, 40 and 41 under 35 U.S.C. §103(a) as allegedly being unpatentable over Caldara in view of U.S. Patent No. 6,069,894 to Holender ("Holender"). Applicants traverse these rejections for at least the reason that the references relied upon by the Examiner do not teach or suggest each and every feature of the claimed invention.

As set forth above, Caldara does not disclose each and every feature of independent claims 1 or 33. The Examiner's reliance upon Holender does not cure this deficiency. As discussed above, solely to advance prosecution, Applicants have amended claims 1 and 33 to further clarify the distinctions between Caldera and the claimed invention. Claims 4, 5, 40, and 41 depend from and add features to one of claims 1 or 33. Thus the rejections of claims 4, 5, 40, and 41 must be withdrawn.

The Examiner has also rejected claims 38 and 39 under 35 U.S.C. §103(a) as allegedly being unpatentable over Caldara in view of U.S. Patent No. 5,555,265 to Kakuma ("Kakuma"). Applicants traverse these rejections for at least the reason that the references relied upon by the Examiner do not teach or suggest each and every feature of the claimed invention.

As set forth above, Caldara does not disclose each and every feature of independent claim 33. The Examiner's reliance upon Kakuma does not cure this deficiency. As discussed above, solely to advance prosecution, Applicants have amended claim 33 to further clarify the distinctions between Caldera and the claimed

invention. Claims 38 and 39 depend from and add features to claims 33. Thus the rejections of claims 38 and 39 must be withdrawn.

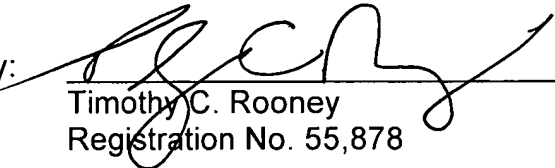
CONCLUSION

Having addressed each of the foregoing objections and rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the application is in condition for allowance. Notice to that effect is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

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Respectfully submitted,

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